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Citation for published version:

Kelly, T 2018, 'Beyond ethics: Conscience, pacifism, and the political in wartime Britain', *HAU: Journal of Ethnographic Theory*, vol. 8, no. 1-2, pp. 114-128. <https://doi.org/10.1086/698431>

Digital Object Identifier (DOI):

[10.1086/698431](https://doi.org/10.1086/698431)

Link:

[Link to publication record in Edinburgh Research Explorer](#)

Document Version:

Peer reviewed version

Published In:

HAU: Journal of Ethnographic Theory

Publisher Rights Statement:

Accepted for publication to HAU: Journal of Ethnographic Theory on 21/03/2018. The final published version is available online: <https://www.journals.uchicago.edu/doi/10.1086/698431>

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Beyond ethics: Conscience, pacifism, and the political in wartime Britain

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HAU: JOURNAL OF ETHNOGRAPHIC THEORY 8(1)

Abstract: The central intervention of this article concerns the contingency of the relationship between ethics and politics. The empirical focus is Second World War Britain, where the refusal to fight was often framed as a conscientious objection. More broadly, one of the central propositions in the anthropology of ethics has been that ethics is ubiquitous. However, ethical practices— such as conscience— are not always prioritized in public life. It is not simply, for example, that we might have different ways of answering “ how ought I to live?” , but that the question itself is not always thought to be socially significant. We therefore need to pay attention to how and why the question is posed, and what this means for who can speak and about what issues. As such, the paper argues that the valorization of conscience can reproduce forms of privilege.

Keywords: conscience, ethics, politics, dissent, liberalism, pacifism, war, Britain

Introduction

In the summer of 1940 Fred Urquhart stood before a tribunal in Edinburgh and argued that he should be exempted from military service on the grounds of conscience.

Urquhart was the 28-year-old son of working-class parents from the southwest coast of Scotland. Standing before the tribunal, he said that he objected to war on “humanitarian” grounds, because it was “the greatest of all evils....”¹ As the Nazis occupied much of mainland Europe, and the Luftwaffe bombed London, Bristol, and Glasgow, British citizens were mobilized to fight on a scale never seen before or since. However, close to 60,000 people, Fred Urquhart included, would claim legal exemption from fighting on the grounds that they held a “conscientious objection” to military service.

Claims of conscience have been wider than those who object to taking part in war, including, for example, a refusal to swear oaths or to undergo vaccination. Abortion laws have also routinely included the right for medical practitioners to exempt themselves on the ground of conscience. More recently, debates over same-sex marriage have involved attempts by parts of the religious right to refuse to participate in the name of conscience. In all these cases, conscience has been used to try and carve out a space of opposition in the name of ethical conviction. Whilst for much of the twentieth century claims of conscience were often associated with the broadly liberal left, by the early twentieth century the issue seems to be currently

¹ Fred Urquhart, Report of Appellate Tribunal, November 7, 1940; letter from Gordon Stott, July 30, 1940; letter from Gordon Stott to Fred Urquhart, August 2, 1940 (papers of Fred Urquhart, collection of Colin Affleck).

dominated by Christian conservatives (Kelly 2018). Either way, British conscientious objectors of the Second World represent one of the largest ever groups of people claiming exemptions in the name of conscience. But refusing to fight fascism has for many people deeply ambiguous, even problematic, implications. These people therefore provide an illuminating point of entry to explore the potentials and limitations of forms of dissent made in its name.

Within the broad history of liberal democracies such as Britain, conscience has been seen as a distinctively ethical category (see, for example, Walzer 1970; Foucault 1997, 223; Nussbaum 2008; Maclure and Taylor 2012). The philosopher John Rawls went so far as to say that liberty of conscience is at the historical and normative core of “political liberalism” (1993, 154). Conscience has also been understood as the basis for action in both the civil rights and human rights movements (King 1967). In this vision, it grounds a form of personhood that stands alongside the seemingly more calculative, instrumental, and self-interested actor (Muehlebach 2012, 20–30). Or to put this another way, conscience helps tell a person what they ought to do—and how they should (hopefully) act for the good—in moments of extreme duress. As such, it can be seen as lying at the heart of a particular sense of liberal moral personhood.

Despite the centrality of conscience in the history of self-consciously liberal politics and societies, there is nothing self-evident about the importance placed in conscience, the issues it focuses on, or the forms it is thought to take. Historically, conscience has been understood as a quality of all humanity, an insight reserved for the select few, a form of religious faith, and a type of secular conviction, amongst others (Rawls 1993; Andrew 2001; Critchley 2007; Nussbaum 2008; Maclure and Taylor 2012). If conscience is central to liberal visions of what it means to be human, its precise meaning, form, and focus are therefore historically varied. It is also important to note that there are alternative and important traditions of conscience that have run through and past those of liberalism (Mehta 2013; Weiss 2014). Either way, in Britain at least, claims of conscience became particularly important during the Protestant Reformation, where the focus shifted from a supposedly objective basis in the word of God or the teachings of the Church, toward an emphasis on the internal reflections of a self-centered agent (Walzer 1970). In this process, conscience became a key category through which religious faith, tolerance, and the power of the state were mediated.

The central analytical intervention of this article concerns the social contingency of ethical practices. The philosopher Raymond Geuss has argued that philosophical ethics has been structured around a small set of questions (2002). In particular, Anglo-American writing has often assumed that the basic ethical situation was one in which people asked themselves “what ought I to do?” (2003, 30). Much of the anthropology of ethics has had a similar question at its center, even if it has debated how and where the question is posed (Lambek 2010, 2; Laidlaw 2014, 112; Mattingly 2014, 28; Venkatesan 2015). At first glance, issues of conscience would seem to be prime material for such an approach. But for Geuss, the significance of such questions should not be taken for granted, as they have a very specific and narrow history (2003, 43). Geuss is a philosopher and responds by looking for other philosophical traditions “outside ethics” to understand what might be important in human life (2003). We can also respond, though in a different and perhaps more anthropological manner, by asking how is it that this question comes to be posed at all? It is not simply that we might have different ways of answering the “how ought I to live?” question, but that the question itself—particularly when asked in the first person—is not always thought to be socially important. The matter of how issues become subject to ethical reflection has been a central theme in the anthropology of ethics (Robbins 2004; Lambek 2015; Das 2016; Keane 2016). This paper, however, reverses that question to examine how ethics itself becomes seen as socially significant, and with what implications?

One of the central propositions in the anthropology of ethics has been that ethics is ubiquitous or irreducible (Laidlaw 2014, 2, 44–5; Keane 2016, 6). This might be true. However, ethical claims are not always socially significant. Social significance can be thought about in many ways. But conscience takes on a particular salience in the context of attempts by liberal regimes to regulate the forms of conviction that are seen as having a legitimate place in public life (Brown 2006; Maclure and Taylor 2012; Mahmood 2012). We should of course be careful not to take the public itself for granted, but rather see it as the unequal, contested, but also shared spaces through which people identify, discuss, and address what are seen as issues of mutual concern (Gal 2002; Warner 2002; Engelke 2013). In such a context, as in others, ethics is not the only way we can address questions of mutual concern. Ethical practices might have to compete and overlap with those based on technical expertise, necessity, reason, and passion, amongst other things (Brown 2015). And

when an issue is framed in ethical terms, it has implications for who is allowed to speak, and what they can speak about.

In this article, therefore, I examine what and who liberal democracies protect when they single out conscience. As such, the article can be seen as part of the anthropology of actually existing liberalism, where liberalism is understood as a culturally thick, varied, and historically contingent set of discourses and practices (Muehlebach 2012; Weiss 2014). Within the context of such actually existing liberalisms, my central argument is that claims of conscience can reproduce narrow forms of privilege. Liberal regimes have often promoted conscience as a neutral concept, speaking directly to what it means to be human in the most general sense. Jocelyn Maclure and Charles Taylor have argued, for example, that freedom of conscience provides a neutral way of respecting individual moral autonomy and equality (2012). However, turning an issue of who should kill and be killed in the name of the state into one of the ability to persuade others of the sincerity of individual scruples can also reproduce very specific inequalities. Specifically, in Second World War Britain, successful claims of conscience were most likely to come from those whose arguments resonated with the history of tempered protestant convictions.

More broadly, this article seeks to contribute to debates about the relationship between ethics and politics. As Erica Weiss has perceptively argued in relation to Israel, that conscience can serve to reduce the space for engaging “politically on questions of military service and violence” (2012, 82). In Second World War Britain too, arguments from conscience pushed to one side issues of collective solidarity and inequality in the use of violence. Such an argument can be seen as part of the well-established “anti-politics” repertoire within anthropology (Ferguson 1994; Li 2007). It also speaks to broader debate about the tendency to moralize replacing forms of political action (Mouffe 2000a; Brown 2006). But as Miriam Ticktin has also pointed out, ethical claims can themselves also involve specific forms of politics (2006). We therefore need to think through the relationship between ethics and politics in the context of specific histories and struggles. This can involve taking a step back from abstract definitions of both ethics and politics, to examine the role of specific practices in shaping the types of actor and action that are seen to have a persuasive role in public life.

The article draws on the letters, diaries, and documents of British conscientious objectors. These documents should all be read as forms of justification and persuasion aimed at both the people who wrote them and others. The traces left behind in the archive are “as contingent, contested and contradictory as life outside the archive” (Dirks 2015, 46; see also Stanley 2004). This means interpreting both what is there and what is not, either because it went without saying, or because it could or should not be said. The article begins with a discussion of the relationship of ethics and politics. It then moves on to examine the life of one particular conscientious objector, Fred Urquhart, with whom this paper started. The focus on one person does two things. The first is to explore the relationship between the individualizing claims of conscience and the reproduction of particular social relationships. The second is to examine how ethical claims emerge in more or less public form, without treating this process as entirely top down. Such an approach allows us to take ethical practices seriously, but also at the same time to examine their conditions of possibility. The hope is to capture both the larger sweep of history and the experiences of lives as they are lived.

The questions of ethics and politics

At one level, it is hard to imagine a politics without ethics and an ethics without politics. As Simon Critchley writes “if ethics without politics is empty, then politics without ethics is blind” (2007, 120). Ethical practices have been understood in some circumstances as deeply political, even radical (Ticktin 2006; Dave 2012; Wright 2016). However, one prominent stream in the anthropology of ethics has also repeatedly stressed the difference between ethics and politics (Lambek 2015, 115; Keane 2016, 187; Laidlaw 2016, 23). At the same time, the anthropological turn to ethics has itself been accused by critics of being “apolitical” (Fassin 2012; Ortner 2016). Given these different positions, it might seem obvious that very different notions of both ethics and politics are at play. To say that ethical practices can be “depoliticizing” therefore implies a particular understanding of both. As such, we need to be specific about what we mean by both ethics and politics.

Anthropologists have described a wide variety of very different practices that have been labeled as ethical, ranging from the phenomenological to the abstract, from the individual to the collective (see, for example, Das 2014, 492; Zigon and Throop 2014; Al-Mohammad 2015). At an empirical level though, claims of conscience in

mid-twentieth-century Britain speak most directly to a particular understanding of ethics as “reflective freedom” (Foucault 1997, 300; Faubion 2011, 36; Laidlaw 2014). This is a form of ethics understood as a self-conscious taking a step back to evaluate the implications and possibilities of particular practices. This is not to say this is the only way of understanding ethics, but that it is one that resonates with practices around conscientious objection. It is also worth noting—before we might be tempted to generalize its assumptions—that “reflective freedom” also seems to closely resonate with a particular set of liberal institutions and sensibilities.

But, what about politics? It is necessary to note that no one seems to be saying that ethics and politics are inherently distinct, but rather that they are simply not reducible to one another. The stream of the anthropology of ethics that has stressed reflection has also overlapped with one which sets itself off against an understanding of politics as linked to instrumental and calculative forms of action (Lambek 2010, 2; Laidlaw 2014, 7; Venkatesan 2015; Keane 2016). Such an understanding of ethics is also being contrasted with an all-inclusive domineering form of power (Laidlaw 2014, 7; Mattingly 2014). In part, this can be seen as a rejection of an approach that sees the making of ethical subjects as a process of discipline and subjugation. However, whilst some of these criticisms are well taken, they also have their own limits. More specifically, anthropologists have used many different approaches when understanding political issues (see, for example, Spencer 2007; de la Cadena 2010; Ticktin 2011; Simpson 2014; Wright 2016). There is therefore a danger of throwing the political baby out with the instrumental or disciplining bathwater.

One possible approach is simply to treat politics as an ethnographic category, and to see where and how people apply these labels (Spencer 1997; Candea 2011). At its best this allows us to escape restrictive *a priori* definitions, but also to move beyond simply seeing politics everywhere, by creating a space for understanding how politics takes shape and gains meaning in people’s lives. However, when such analysis sticks too closely to the ethnographic ground, it can also result in a potentially one-dimensional analytical strategy, limiting the room for critique in favor of description.

It is through an attempt to keep some critical purchase that many anthropologists have become interested in the notion of “the political” (Spencer 2007; de la Cadena 2010; Ticktin 2011). Influenced by the work of Chantal Mouffe and Jacques Rancière, amongst others, “the political” is often understood in terms of

dissensus, antagonism, agonism, or dispute (Mouffe 2000b; Rancière 2001). Such a notion of “the political” can help draw attention to the ways in which conflict is opened up or closed down, and how distinct forms of hierarchy are challenged or reproduced in the ways in which we live together (Arendt 1990; Mouffe 2000b). However, as Lois McNay has also argued, when treated as an autonomous realm with its own logic—its own ontology even—“the political” can also become “socially weightless,” divorced from the concrete actors linked to class, gender or race that are constitutive of many people’s lives (2014). Our understanding of “the political” therefore needs to be placed back into the flux and flow of social relations.

Rather than trying to draw lines in the sand by defining politics or ethics as this or that, it is perhaps more useful to put the two alongside one another. This means leaving to one side issues of definition, to focus on the particular substantive questions often associated with the anthropologies of ethics and politics. Questions, for example, around right and wrong, good and bad, obligation and duty, can be placed alongside a concern with the reproduction of conflict, hierarchy, and collective life. It is not that one is context and the other content, or one figure and the other ground, but rather that they can be mutually constitutive of one another. Indeed, these are questions that can and perhaps should be asked at the same time. We might ask how, for example, does the valorization of ethical reflection on the question of who should or should not fight in a time of war, reproduce or challenge particular forms of privilege?

Opposing war from the left

Fred Urquhart left school at fifteen and found work in an Edinburgh bookshop. In his early twenties he resigned to become a full-time writer. Urquhart’s early stories of working-class Scottish life received positive reviews, but sales were limited, and he had to scrape by on various odd jobs. Urquhart’s father was a socially conservative former driver for a Scottish aristocrat, and the relationship between parent and son was often strained, in part over the son’s professed Communist sympathies. They never fell out completely though, and Urquhart would continue to send his parents’ money every few weeks for what he described as their “gin.” After moving to Edinburgh, Urquhart lived in one of the small and crowded houses that stood along Edinburgh’s semi-industrial waterfront. He was also part of an anti-war movement that was widespread across Britain (Ceadel 1980). The Peace Pledge Union, for

example, was led by the Canon of St Paul's Cathedral, Dick Shepherd, with members stating that "I renounce war, and am therefore determined not to support any kind of war." The League of Nations Union campaigned for a "permanent peace between nations." These were two of the largest mass movements in Britain in the 1930s, and between them had well over half a million members at their respective peaks.

Throughout the late 1930s and 1940s, Urquhart was anxious about being exposed as a homosexual. During this period, he ripped out all the pages of his diaries that referred to his sexual encounters after some friends were arrested. At the same time though, he also chided himself for a lack of sexual bravery. He copied down in his diary a line from a novel by Eric Linklater, a fellow Scottish writer: "Mentally I am free thinking, promiscuous, free loving, but physically I am a Victorian."²

One of the consistent threads that can be read in Urquhart's diary is left-wing politics. Given his professed loyalties to the international working class, Urquhart's father often accused him of being unpatriotic. Urquhart would write in his diary that "He doesn't seem to realise that it doesn't matter what country you belong to, if you are one of the working classes, you will always get it in the neck... It is hopeless to point out to him that we have more in common with the working people of Germany than we have with the aristocrats who he admires so much."³

Fred Urquhart would spend much of his free time reading periodicals such as *Left Review*, and would send his short stories to socialist magazines. Throughout the 1930s, he saw the impending war as a direct result of class exploitation and would also dream of moving to the Soviet Union.⁴ Shortly after the outbreak of hostilities, he would write that "this war is being used as a method to crush the working class... every working class liberty is gradually being taken away... they will realise only when it is too late... and the screw of slavery has then firmly taken its grip..."⁵ During this time, Urquhart often stayed with his friend Mary Litchfield, a Communist and teacher in a small working-class town in Fife, to the northeast of Edinburgh. At one point the police raided the house. Urquhart and Litchfield were later told they had been reported as possible "fifth columnists," due to their large number of visitors, mainly members of the Fife Labour Party.

² Fred Urquhart, Diary, September 15, 1932 (papers of Fred Urquhart, Edinburgh University Library).

³ Diary, October 25, 1939, Urquhart.

⁴ Diary, October 21, 1939, Urquhart.

⁵ Diary, October 26, 1939, Urquhart.

Scotland, and the Clyde valley and Fife in particular, was a center of left-wing anti-militarism throughout the 1930s, with strong socialist, communist and anarchist streams. Fife, where Urquhart spent much of his time when away from Edinburgh, returned a Communist member of parliament in the 1930s. In the First World War, working-class internationalism had been a key part of the anti-war movement, opposing what it saw as capitalist and imperialist forms of destruction. However, Urquhart's friend Mary Litchfield was convinced that defeating fascism was more important than anti-militarist principles and allegiance to the Communist Party. Litchfield tried to persuade Urquhart—seemingly causing some strain in the relationship—that he would be better off in the army than “cooped up in jail without enough to eat and nothing to smoke.”⁶ Urquhart, though, wrote that he would “stick to my guns (funny phrase for a pacifist!). I hate war and I will not take part in any war, whether anti-fascist or not.”⁷

By 1939, war seemed inevitable to many people in Britain, even those who vehemently opposed it. The day hostilities were declared—September 3, 1939—all male British citizens between the ages of 18 and 41 were made liable for conscription. With the possibility of his own military service imminent, Urquhart tried unsuccessfully to get signed off by a doctor for an “enlarged heart.”⁸ Alongside his socialism, Urquhart's opposition to military service should also be seen against a concern with his fledgling writing career. In practice, it was an interest in literature, rather than the outbreak of war, that filled most of his diaries. Indeed, he would write that a “writer to be a great writer must suffer, but I do not see why he should suffer needlessly, as for instance in the army.”⁹ He wrote that his best course of action was to get “some job in the army where I can be safe.”¹⁰ Urquhart turned his hopes toward a job with the Ministry of Food, but for reasons that are not clear, they would not take him. Urquhart was advised to register as a conscientious objector by a friend.¹¹ If he did not want to fight, this seemed to be the only space left.

A very short history of conscription and conscience

⁶ Diary, August 5, 1940, Urquhart.

⁷ Ibid.

⁸ Diary, September 30, 1939, Urquhart.

⁹ Diary, September 30, 1939, Urquhart.

¹⁰ Diary, September 19, 1939, Urquhart.

¹¹ Ibid.

How was it that making a claim of conscience came to be a publicly recognized way of refusing to fight? Unlike many of the countries on mainland Europe, the British state has historically avoided compulsory universal military service. During the First World War, for example, a conscript army was initially opposed by Liberal politicians who argued that the free market was practically and morally the best way to produce a fighting force; trade unions who supported the war but opposed forced labor; socialists who objected to capitalist and imperialist wars, but not all war; and absolute pacifists, who predominantly came from various shades of protestant dissent, most notably the Quakers.¹²

By 1916 though, the British military was increasingly short of the necessary recruits. In order for the law on conscription to pass through parliament, an exemption on the grounds of conscience was created. What this clause meant differed according to party political perspective. To win over Conservative votes, it was argued that the clause was part of a “long tradition of British liberty.” And to win over Liberal and Labour votes, which included atheists and “free-thinkers,” no definition of conscience was included at all (Rae 1970). The British conscience clause was therefore different from the one in the US, which was linked to membership of recognized “Peace Churches” (Brock 2006). Conscription—and the conscience clause—was not introduced in Ireland and the colonies, seemingly out of fear of a lack of loyalty. Women, wherever they were, were exempted altogether. Over the course of the First World War, 16,000 British citizens were given exemption on the grounds of conscience; but over 6,000 were also imprisoned after their applications were denied and they refused to go into the military (Rae 1970). The anti-militarist left was particularly prominent amongst those who campaigned against conscription, and many of them were sent to jail.

Conscription ended in 1920 but was reintroduced in the runup to the Second World War. However, some of the leading conscientious objectors from the First World War, and in particular those from the left, were now senior elected politicians, with at least three serving in the war-time government. The Spanish Civil War of 1936–39 had put the pacifist left under severe stress, and many of them decided that it was necessary to take up arms against fascism. In the first few years of the Second World War—in the context of the Nazi–Soviet pact—the Communist Party of Great

¹² Independent Labour Party. n.d. *Why We Oppose Conscription*. London.

Britain was officially against fighting Germany. Their policy changed though after the Nazi invasion of the Soviet Union. Small numbers of revolutionary socialists and anarchists, particularly in industrial Scotland, remained opposed to both conscription and the war. But it would be broadly Christian pacifists, of various hues, who would come to dominate public opposition to war.

Conscientious objectors had a very different experience in 1939 than they did in the First World War. This time around, the British government and military were reluctant to demand that people fought against their will. As Prime Minister Neville Chamberlain put it in the runup to the war, “in the Great War ... I think we found that it was both useless and an exasperating waste of time and effort to attempt to force such people to act in a manner which is contrary to their principles.”¹³ Tribunals were established, which could grant absolute exemption, a conditional exemption, or dismiss the application all together (Kelly 2014). For the first time, in 1941, women could be conscripted into auxiliary units, although they were never obliged to carry arms. Married women or women with children under the age of fourteen were exempt altogether.

British politicians and government officials were publicly proud of the conscience clause, seeing it as marking the difference between British democracy and European fascism (Kelly 2014). Lord Beveridge, for example, declared in a radio broadcast, “Admission of the right of conscientious objection to serve in war is the extreme case of British freedom. Nor have I any doubt that it makes Britain stronger in war rather than weaker” (Hayes 1949, 6). Winston Churchill would similarly say in parliament that “the rights which have been granted in this war and the last to conscientious objectors are well known, and are a definite part of British policy. Anything in the nature of persecution, victimization, or man-hunting is odious to the British people.”¹⁴

As well as an issue of professed principle, conscientious objection should also be seen as an administrative and legal compromise that helped to mediate competing ideological positions and practical problems. It allowed Conservatives, Liberals, and Socialists, for example, to all agree to conscription, and created a way of dealing with those people who refused to fight. In one sense then, the legal category of conscience can be seen as a black box into which compromise and tensions over who should fight

¹³ Hansard, House of Commons Debates, May 4, 1939.

¹⁴ “A Plea for Tolerance,” Central Board of Conscientious Objectors. Butler papers, Bishopsgate.

were displaced. And in doing so, questions about the distribution of who should kill and die for King and Country were turned into questions of sincere internal convictions (Muehlebach 2012; khanna 2017). In the debate about who could refuse to fight in a time of war, individual scruples were given particular weight. It is perfectly possible that conscience could lead people to taking up arms against fascism, and there even many former conscientious objectors who later in the war came to this conclusion (see, for example: Morris 1948). However, in public debate in wartime Britain, conscientious objection became predominantly associated with the legal rights of those who refused to fight. And it was in the legal space opened up by these compromises and tensions that Urquhart's claim of conscience took place.

Making Public

Urquhart's reluctance to join the armed forces should be seen as part of a broader pattern, and not only amongst those who were open about their pacifist views. Across the British population, historians have noted a widespread, if somewhat resigned, reluctance to take up arms (Harris 1992). It is also important to note that there were other ways of refusing to fight that did not require registering as a conscientious objector and appearing before the tribunal. As in any war, the majority of military posts did not involve direct involvement in fighting, but were in logistics, planning, medical care, or engineering, for example. There were also reserved occupations, which at various times included miners, farm workers, accountants, tailors, and dentists, amongst others.¹⁵ It was also possible to gain exemption on medical grounds. According to one estimate, in 1943 alone over 300,000 people were discharged for health reasons (Calder 1993, 336).

Those people who eventually registered as conscientious objectors were probably only a very small minority of all those who were reluctant to fight, and many of them would have considered other options before doing so. The numbers of people applying for military exemption on grounds of conscience ranged from 2.2 percent of those conscripted in October 1939, to 0.57 percent by mid-1940 (Barker 1982). In the popular imagination of the time, conscientious objectors came from the

¹⁵ See, for example, Schedule of Occupations (Provisional), Ministry of Labour, January 1939.

intellectual middle classes.¹⁶ Quakers and Methodists were also particularly prominent, but there were also some socialists and secular humanitarians.

One of the things that marked out conscientious objectors, when they eventually decided to register, was the public nature of their claim. Writing several decades after the Second World War, Hannah Arendt argued that any society that tries to prioritize individual interior forms of conscience faces the problem of how to make that conscience publicly persuasive to others (1972). Making claims of conscience—as “sincere and genuine”—therefore involves what Webb Keane has called “a certain kind of public accountability” (2002, 75). The crucial point here though is the *process of making public*—of making a conscientious response to the question of “what ought I to do?” persuasive to a wider audience. As such, claims of conscience can be seen as a performance for public recognition (Kelly 2014; Weiss 2014). The next part of this paper will examine how and why such claims for recognition came about.

The coming of conscience

If conscience, in form or content, is never self-evident, what were the conditions that led to the search for public recognition? And how—for the people making claims in its name—did this recognition displace or transform other ways of approaching the question of who should fight, and why they should do so? How did it come to be that for people like Fred Urquhart ethical reflection was seen as the appropriate way of approaching the question of whether one should fight or not? How did conscience emerge from the overlapping entanglements of socialist solidarity, sexual desire, personal ambition, and intimate loyalties of friends and family, to be the most publicly significant way to refuse to fight?

Many of the people who sought registration as conscientious objectors were pacifists throughout the 1930s.¹⁷ Others though—and Urquhart seems to have been among them—came to pacifism, as opposed to anti-militarism, slowly as the war neared and they considered its implications.¹⁸ Fred Urquhart’s pacifism seems to have been formed through intense reading and discussions with his friend Mary Litchfield.

¹⁶ Jobs of COs. April 3, 1940. Mass Observation Archives (MOA), University of Sussex, OA TC6 Box 1 File A 11 Report on COs, July 1940. MOA TC6 Box 1 File A.

¹⁷ See, for example, interviews with Ronald Jeffery and William Elliot, Imperial War Museum Sound Archive (IWMSA).

¹⁸ See, for example, private papers of R. Foster, Imperial War Museum Archive (IWMA).

Many other people also came to articulate their pacifism through discussions with small groups of friends and local pacifist groups.¹⁹

But pacifism—in both its anti-militarist, left-wing, and absolutist forms—is one thing. Framing this as an issue of conscience takes a further step. One of the interesting things on reading the contemporary diaries and letters of the people who sought registration as conscientious objectors is how little the word “conscience” is actually mentioned.²⁰ As with Fred Urquhart, there is lots of anxiety about personal courage, and concerns about what friends, families, and neighbors will say. There is also careful consideration of what military service might mean for collective, and personal life after the war ended. For those on the left, the question of whether the war was an imperialist continuation of the First World War, and the possible greater threat in the face of fascism, were constant issues. People such as Urquhart were also concerned, at various times, with the way fear was driving their actions, the increasing deprivation of working-class freedom, how to produce good art, how to get a job away from the front line, and whether ailments might qualify for a medical exemption, amongst many other things. Conscience was not the inevitable response to any of these concerns. The word “conscience” was certainly in circulation, used to describe principles and convictions, but it had to compete with plenty of others, such as duty, solidarity, love, necessity, reason, fear, and faith, when it came to the ways in which people described their position in relation to violence.

Importantly, when conscience is mentioned, it was rarely, if ever, clear-cut. Urquhart was not alone in having his uncertainties and dilemmas. In worrying about their responsibilities to families and friends, many conscientious objectors were also concerned with whether refusing to fight was simply condemning other people to death, perhaps their own brothers, and whether by taking up alternative forms of service, such as working on a farm, they were simply participating in the war by others means. In the popular imagination, conscience is widely associated with a forthright and absolute conviction, of the “here I stand; I can do no other” variety. For the philosopher Michael Walzer, for example, writing at the time of the Vietnam War, claims of conscience should be accepted if they follow a “consistent pattern of commitment” (1970, 141). Yet, this seems to speak directly against the ways in which British conscientious objectors came to understand conscience. For people who

¹⁹ Interviews with Jesse Hillman, Phillip Dransfield, and Leonard Bird, IWMSA.

²⁰ See, for example, papers of C. Ruffoni, IWMA.

claimed exemption on the grounds of conscience, their convictions were often uncertain, not least to themselves. Conscience was all too often uncomfortable, guilty, and divided.

It is not entirely clear from his diaries why Urquhart finally decided to register as a conscientious objector. In his short application for exemption though, he wrote that “I have always been a pacifist and I have tried to define my pacifism in all my published and unpublished work.”²¹

Tribunals of conscience

The tribunal can be seen as a space where conscience gained definition and salience as an ethical category. It was at the tribunals that evidence was produced to back up applicants’ claims, and their conscience was formally validated, or not. Appearances were usually relatively short—typically around 20 minutes. Judges would ask applicants a series of questions about the grounds for their conscience, how long they had held it, and how they had followed it through.²² The tribunals were also public spaces, and even if they were not widely attended, they were reported on by the local press.

The first time Urquhart appeared before a tribunal, the panel was headed by a senior Scottish lawyer, and included the Scottish philosopher and translator of Kant, Norman Kent Smith. Urquhart’s application was rejected.²³ In its decision, the chair of the tribunal wrote that Urquhart “recognises no sense of obligation.”²⁴ At the appeal, Urquhart was represented by a young lawyer called Gordon Stott. Stott was a socialist and pacifist. He was also registered as a conscientious objector, carrying out agricultural work as a form of alternative service. In 1940 Stott had been a practicing lawyer for only a few years, but in later life he would become one of the most influential Scottish legal figures of the second half of the twentieth century, working as the Scottish government’s chief legal officer and senior prosecutor. On Stott’s

²¹ Fred Urquhart, Application to Local Tribunal, June 6, 1940 (papers of Fred Urquhart, collection of Colin Affleck).

²² “Conscientious Objector Tribunals,” 24 Feb. 1940, Mass Observation Archives (MOA) TC6, box 2, file A.; “Questions to COs,” June 1944, CBCO Archive, 2/32, Friends House; “Notebook of Instructions for Conscientious Objectors in Answering Tribunal Questions,” 1940, IWMA, misc. 3, hem 22.

²³ Fred Urquhart, Notification of decision of Local Tribunal, July 1940 (papers of Fred Urquhart, collection of Colin Affleck).

²⁴ Fred Urquhart, Report of Local Tribunal, July 18 1940 (papers of Fred Urquhart, collection of Colin Affleck).

advice, Urquhart took a friend as a witness to attest to his sincerity before the appeal tribunal.²⁵ Despite his professed Communism, Urquhart applied for recognition as a conscientious objector on “humanitarian grounds,” although he did not explain what these were. The appeal tribunal, led by the aristocrat Lord Elphinstone, granted Urquhart exemption on the condition that he carried out agricultural work, and he spent the next few years working on a potato farm in Fife.²⁶

It was at the tribunal that conscience perhaps came most clearly into public view, as they were made legible to both the applicant and to other people. As ethical issues are made explicit, people are asked to give reasons and account for their positions (Mattingly 2014; Keane 2016). Cheryl Mattingly perceptively describes such processes of objectification, where a claimant is forced to look through the eyes of another to defend themselves after the act (2014). A claim of conscience might therefore be seen as a response to an objectifying legal demand. And, such objectification can, implicitly or explicitly, demand coherence for what might otherwise be a heterogeneous and ambivalent set of motivations, claims, and assumptions.

However, although conscience was given shape at the tribunal, it is important to note though that it was not simply a top-down legal category. Michael Lambek has argued that under liberal regimes, objectified forms of ethics become “abstracted ... something at arm’s length ... rather than assimilated and embodied as part of life” (2015, 311). Such an argument, though, can ignore the ways in which legal practices can penetrate and be taken up in the most intimate of relations. If conscience was a legal black box that had to be filled, its form and meanings took shape within particular life trajectories. Urquhart’s diaries are full of reflections on conscience, and its implications for his wider social relationships, which although shaped in the context of the National Service (Armed Forces) Act, were not entirely subsumed by it.

It would also be a mistake to see the word “conscience” simply as an instrumental device, deployed in order to gain exemption from military service. On reading Urquhart’s diaries, as with those of many other conscientious objectors, you do not get a sense of a calculating take on whether to make a claim. Instead, there is

²⁵ Fred Urquhart, Report of Appellate Tribunal, November 7, 1940; letter from Gordon Stott, July 30, 1940; letter from Gordon Stott to Fred Urquhart, August 2 1940 (papers of Fred Urquhart, collection of Colin Affleck).

²⁶ Fred Urquhart, Report of Appellate Tribunal, 7 November 1940 (papers of Fred Urquhart, collection of Colin Affleck).

much anxiety about both the consequences and the virtues of such an act.²⁷

Urquhart's conscience was thick with value.

Public claims of conscience were therefore not simply a response to top-down injunctions, a self-interested manipulation, or an embodied part of life. Instead, the ethical reflections called conscience took shape in the often awkward space between all three. Conscience emerged in the gap between personal hopes, fears, and aspirations, and the perceived demands of living with other people. But either way, as the next section will show, what counted as a persuasive conscience was never neutral.

Recognition

Recognition—of conscience or otherwise—is never a self-evident or transparent matter. Instead, it is marked by distinct histories through which the very object of recognition is shaped (Povinelli 2002; Markell 2003). Above all, social and cultural conventions play a central role in what is acknowledged as a genuine claim.

Urquhart's downplaying of left-wing ideology before the tribunal was probably very sensible. In theory, it was certainly possible for socialists to get exemption. The Glaswegian Communist, Victor Turner, who later went on to write *The Forest of Symbols*, for example, was registered as a noncombatant. More generally though, political objectors, and socialists in particular, had great difficulty before the tribunal. Fred Morel, for example, an East London activist for the Independent Labour Party, argued before the tribunal that “as a member of the working class it has been my firm conviction for the past sixteen year that war, but only increases the poverty, degradation, and misery of the working classes.”²⁸ His application was rejected and he was sent to jail. He only won his appeal after his wife, against Morel's wishes, but on the advice of fellow political activists, gave oral testimony that he “would not take up arms in any case for any reason.”²⁹

Most successful claims at the tribunal usually presented conscience as a form of obligation, and an obligation to fellow citizens in particular. As Erica Weiss has argued in relation to Israel, claims of conscience are most likely to be recognized

²⁷ See, for example, Provisional Registration of Conscientious Objection, July 17, 1940. Papers of Cyril Wright, IWMA.

²⁸ Fred Morel, August 15, 1940. Application to the Local Tribunal of a Person Provisionally Registered in the Register of Conscientious Objectors. Papers of Fred Morel, IWM.

²⁹ Interview with Jenny Morel, September 3, 1980, IWMSA.

when they do not challenge prevailing state orthodoxies (2014). In mid-twentieth-century Britain, a long-term affiliation with a pacifist group or church was most persuasive of all, with Quakers in particular representing the gold standard.³⁰ Quakers seem to have been convincing partly because of their historical links with pacifism in the eyes of the wider public. The Quaker style of conscience openly acknowledged its duties to other British citizens. Urquhart, in contrast, was condemned at his first tribunal for having “no sense of obligation,” and was only granted exemption when he declared his humanitarian commitments and then agreed to take on agricultural work. The vast majority of claims were only accepted at the tribunal if the applicant agreed to undertake some form of service. Many conscientious objectors were more than happy to do so, taking on such positions as medical orderlies, forestry workers, and agricultural laborers.³¹

Above all, the sense of obligation that marked most successful claims of conscience at the tribunal was understood in patriotic terms.³² Indeed, many conscientious objectors even saw their recognition as a product of a particularly British sensibility—echoing the ways in which members of the British government themselves understood the conscience clause. C. H. Smith, for example, wrote to a friend shortly before he appeared before a tribunal, “You know this is a remarkable country—so much so, that it is not easy to refuse the services they demand.”³³

Where is the politics?

So where might we find the politics in the public consciences of pacifists such as Urquhart? Or rather, to put this another way, what forms of dissent and opposition did conscientious objection to taking up arms open up? The issue of who should serve in the armed forces, and who could refuse, could be understood as an issue of patriotism, forced labor, market efficiency, or class inequality, amongst others. But, in Second World War Britain it was predominantly dealt with as an issue of ethical reflection and sincere personal conviction. In making a claim to conscience, issues of class solidarity and exploitation, for example, were therefore left to one side. Just a month into the war, Urquhart would write in his diary that “If ever time was ripe for a revolution it is now ... If only people would realise that Chamberlain and his gang are

³⁰ Private papers of C. Worrall, IWMA.

³¹ See for example, interview with Bernard Hicken, May 1992, IWMSA.

³² See, for example, Ridgway, Diary, October 1, 1939, IWMA.

³³ Letter to George, dated April 16, 1943, private papers of C. H. Smith, IWMA.

every bit as bad as Hitler.”³⁴ It goes without saying that such potentially disruptive arguments would have not got very far at the tribunal. Instead, his refusal to fight was publicly presented as an issue of individual scruples—and more specifically scruples that were widely (if not unproblematically) seen as particularly British.

There were certainly attempts to refuse the consensual logic of conscience. However, the risk for those who did not present a respectable form of conscience—and one that acknowledged patriotic obligations—was that they were jailed, or worse, simply ignored. Not all Christian belief was persuasive, for example. Jehovah’s Witnesses in particular could encounter problems for saying they would only participate in “Godly Wars,” raising questions about their loyalty to the British state.³⁵ The threat of prison was a constant theme in Urquhart’s diaries. He would write to his publisher, that if he made the slightest public criticism of the military he was likely to be court martialed.³⁶ Over the course of the war, around 5,000 people were criminally charged for refusing conscription. Anarchists in particular continued to agitate against conscription throughout the war, arguing that conscription was a form of slavery, and that revolution was the only way to end war (Graham 1943). They often promoted forms of opposition other than conscientious objection, such as a group of miners charged with a “work slow.”³⁷ Such action often resulted in jail time.

In partial contrast, for many women, the risk was that their opposition to war was simply not acknowledged as publicly significant. Urquhart’s close friend Mary Litchfield would have found it very difficult to apply for status as a conscientious objector, even if she had wanted to. Although Jenny Morel, for example, described herself as a stronger pacifist than her husband, and had tried to register as a conscientious objector, she was exempted due to her “domestic responsibilities.”³⁸ Throughout the Second World War, an estimated 911 women were granted status as conscientious objectors (Nicholson 2007). However, many others had great difficulty in having their claims taken seriously by government officials, and were simply redirected to alternative forms of labor. The Ministry of Labour claimed at one point

³⁴ Diary, October 21, 1939, Urquhart.

³⁵ Bulletin of the Central Board for Conscientious Objectors April 1942, no. 26.

³⁶ Urquhart, Letter to Patrick Crichton-Stuart, September 19, 1939 (collection of Colin Affleck).

³⁷ War Commentary for Anarchism, mid-August 1944, 5, 20.

³⁸ Interview with Jenny Morel, IWMSA.

that women made up only 22 of the 60,000 British COs, although activists argue that they numbered in the thousands.³⁹

It was not just potentially disruptive claims of class and gender that were effectively pushed out of public recognition. Those people who did not align with dominant forms of British nationalism also faced difficulties in having their objections to fighting acknowledged. In Northern Ireland there was no conscription, for fear of provoking open rebellion. And both Welsh and Scottish Nationalists were sent to prison for refusing to be conscripted. Douglas Young, for example, who was the wartime leader of the newly formed Scottish National Party, spent several years in an Edinburgh jail. He refused to even apply for exemption on the grounds of conscience, implicitly claiming that the British state had no right to judge his convictions. Young argued that conscription was part of an “Imperial Policy” that trespassed on Scottish traditions of natural liberty. The magistrate hearing his appeal reportedly said that the “arguments are too lofty for this Court. If not for a psychiatrist...”⁴⁰

Turning war into an issue of conscience transforms the situation into one where what people have “in common” is the ability for individual ethical reflection (Rancière 2001). In doing so, the responsibility of identifying and solving social problems is displaced onto individuals. Max Weber famously saw pacifism as inherently non-political, as it refused to grapple with the use of violence ([1919] 1948). At the same time though, as Erica Weiss also notes, the refusal of violence can also challenge the very legitimacy of the state (2014, 2016). But the framing of the question of who should fight in terms of individual scruples served to put arguments over legitimacy of violence to one side, in favor of a debate about the relative presence of sincere convictions. The publicly persuasive way of refusing to fight was treated as one of personal scruples, rather than collective solidarity, distribution, or even fairness and efficiency.

The issue of refusing to fight was turned into one of what individuals thought they ought to do, in all “good conscience.” It is not just that responses to the problem of how we might live (and die) together were transformed into the sum of individual preferences. Equally importantly, the preferences that were given priority were those

³⁹ Bulletin of the Central Board for Conscientious Objectors, May 1942, no. 27

⁴⁰ Douglas Young. 1944. *An Appeal to Scots Honour: A Vindication of the Right of the Scottish People to Freedom from Industrial Conscription and Bureaucratic Despotism Under the Treaty of Union with England*. Glasgow: Scottish Secretariat Limited.

that were presented as based on careful ethical contemplation, resonating with a particular British history of dissent and conviction. The conscience that was persuasively to the fore was personal, rather than critical of the state and its policies. In effect it said: “it is me, not you.” In practice, protecting conscience meant prioritizing the claims of respectable men.

Conscientious objection therefore operated in the space expected, or even required, of loyal citizens. This is part of a tradition of conscience described by Michael Walzer as narrow and self-limiting (1970, 124–25). If politics is partly a matter of *dissensus*—that is, the disruption of hierarchies (Rancière 2001), conscience can be seen as a matter of *consensus* between loyal citizens who did not challenge why the war was being fought, or in whose name it was being carried out. In other words, publicly acknowledged claims of conscience have acted as an authorized form of dissent, rather than radical objection.

Conclusion

Talal Asad has argued that under “modern Christianity,” conscience became the “seat of self-government” through which believers address the question “What should I do if I am to do that which is good?” (1993, 245). But what happens in a nominally secular state when conscience becomes the basis for the public distribution of rights, duties, and entitlements? We might begin by noting the contingency of the question, in the sense that it is asked at all and the assumption that the answers that are given are significant to others (Geuss 2003, 32). And then we might ask what implications the valorization of such questions has for shaping who can respond and in what ways. Doing so helps us to understand the spaces that claims of conscience can open up—and close down—for dissent, refusal, and objection.

Under the right conditions, conscience might well have subversive potential (see, for example, King 1967). It could mark a space of refusal that generates new possibilities, with progressive or reactionary implications (Simpson 2014; McGranahan 2016). We can speculate that such radical forms of conscience are based on an already existing form of exclusion. However, demands for the public recognition of conscience—particularly, and perhaps somewhat ironically, when understood as an internal and free quality of individuals—can also reproduce social conventions about what conscience should look and sound like. Under such circumstances, conscience can work as a tightly circumscribed form of objection that

personalizes opposition and marks out a very narrow space for debate and dissension. As such, when liberal democracies protect freedom of conscience, they can protect a very limited type of activity.

The public conscience of Second World War Britain treated the refusal to fight as an issue on personal integrity rather than a broader question of collective solidarity, distribution, patriarchy, or national self-determination. A narrow form of ethical reflection—associated with specific types of “respectable” men—became the privileged site through which the solution to social tensions were addressed, putting to one side collective responses and tensions over class, nation, and religion, amongst others. This was also a form of conscientious objection that was deeply loyal to the British state. Erica Weiss has shown that in Israel claims of conscience served to marginalize people from public moral debate (2014). In contrast, in Second World War Britain, arguments from conscience served to incorporate applicants into a broader public, where what people were felt to have in common was the ability to reflect on ethical issues. This is not conscience as a form of refusal—a rejection of the state and denial of its authority (Weiss 2016, 353; see also McGranahan 2016). Rather, it was a deliberate search for public recognition and acknowledgement, which took consent for granted.

More broadly, if conscience is understood in terms of culturally thick social relationships, it can reproduce the very relationships through which it is formed. The opening up of spaces of reflection might well produce personal anxiety, irony, and conflicting ethical demands. But these spaces do not stand apart from the fabric of larger scale social relations. The social and public significance of ethical reflection is made, not simply found.

Over seventy years after the end of the Second World War, there are still debates over whether to grant special protections to those who make claims in the name of conscience. However, rather than focusing on war and peace, it is abortion and same-sex marriage that seem to be the main issues of concern. Either way though, history suggests that turning abortion or same-sex marriage into issues of individual conscience will obscure questions of collective inequality and distribution. And, at the same time, the ways in which conscience is recognized will serve to reproduce narrow forms of privilege. Indeed, turning questions of sexual reproduction and equality into an issue of the ability to demonstrate tender scruples will inevitably put to one side questions of principle and mutual obligation.

The wider story of the anthropological turn to ethics is beyond the scope of this paper. However, although anthropologists found ethics relatively late in comparison to many other disciplines (see for example, Garber, Hanssen, Walkowitz 2000), it can now sometimes seem that we are able to find ethics everywhere. The turn to ethics has undoubtedly produced many important new insights about how we live together. But in thinking through how our own intellectual histories, we might also note how starting with ethics, both ethnographically and analytically, can shift the focus of the questions that are asked about collective life. As Joel Robbins acknowledges, “the choices social scientists make about what to study ... are always driven by the values they hold to be most important” (2013, 448). Before we take particular forms of ethics for granted, we also need to pay careful attention to the contingent role of ethical claims in different forms of social reproduction. In a now classic essay, the historian Eric Hobsbawm argued that the point of social history was not simply the recognition of previously ignored subjects, but the opportunities this produced for writing the history of society as a whole (1971). For Hobsbawm, this meant trying to link particular topics to bigger questions of social hierarchy. We might say something similar about the anthropology of ethics.

Prioritizing ethical reflection in our own analysis can leave us relatively less well equipped to understand how such practices gain significance and for whom. Too narrow a focus is in danger of ignoring the conditions under which such forms of reflection reproduce particular social relations. It is one thing, as important as that might be, to note that ethical experiences cause personal anxiety and conflict. It is quite another to grasp the role that ethical reflection can have in identifying, discussing, and addressing what might be issues of mutual concern. The point here is not that people do or do not confront ethical issues, or ask themselves how they ought to live. People like Fred Urquhart clearly grappled deeply and profoundly with their senses of obligation—both to their own consciences and to others. But the wider public significance of the question of what they ought to do when asked to fight, for example, and the sense that the appropriate dissenting answer was marked by individual conscience, was not self-evident or inevitable. Rather, it emerged from within the broader tensions and inequalities of a society at war. We therefore need to pay attention to the history of how and why ethical reflection is given social significance, and the implications that this has for collective life. Rather than starting

with ethics, we might therefore begin by looking beyond the self-consciously ethical subject.

Acknowledgments

I would like to thank Harini Amarasuriya, John Bialecki, Lotte Buch, Mathew Engelke, Webb Keane, Tania Li, Sidharthan Maunaguru, Galina Oustanova-Stjepanovic, Jonathan Spencer, Fiona Wright, and Lori Allen, as well as the anonymous reviewers and editor of *HAU*, and audiences in Belfast and Copenhagen for feedback on earlier version of this paper. The research for this paper was made possible by the generous support of a European Research Council Horizon 2020 Consolidator Grant (648477 AnCon ERC-2014–CoG).

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